REMARKS

Applicants have carefully reviewed and considered the Office Action mailed on <u>April 21, 2004</u>, and the references cited therewith.

Claims <u>1, 5, 11, 12 and 17</u> are amended; as a result, claims <u>1-17</u> are now pending in this application.

Information Disclosure Statement

Applicants submitted an Information Disclosure Statement and a 1449 Form on August 28, 2001. Applicants respectfully request that an initialed copy of the 1449 Form be returned to Applicants' Representatives to indicate that the cited reference has been considered by the Examiner.

Applicants note that it appears that the Examiner did consider this since that 1449 was retuned and signed; it is the 1449 with a single U.S. patent reference, namely U.S. Patent No. 6,101,500 (To-Choi Lau). Therefore, it appears to Applicants that this has already been considered; however, Applicants respectfully request that this 1449 be initialed next to the Lau reference and returned with the next action from the Examiner for completeness of the record.

§102 Rejection of the Claims

Claims 1-17 were rejected under 35 USC § 102(b) as being anticipated by Bennett (U.S. 5,146,344). It is fundamental that in order to sustain an anticipation rejection, each every step and element in the rejected claims must be taught or suggested in the cited reference. Here, Bennett does not teach or suggest binding functions between accounting applications and a printer agent via a network. Moreover, Bennett does not teach or suggest print jobs that are directly sent or submitted from a print client to the printer agent.

More specifically, Bennett is directed towards a reprographic printing system for reproduction of documents. The system includes accounting features for billing and report tracking. The User Interface (UI 52) interfaces <u>an operator to a printing system</u>. Bennett, col. 4 lines 64-68. *Emphasis added.* The printing system includes the UI 52 and a controller 7. Bennett, col. 2 lines 65-68; and col. 3 lines 1-2; FIGs. 1 and 2. The controller 7 includes available accounting features of the printing system. Bennett, col. 6 lines 7-15.

There is no ability or teaching in Bennett where functions are bound between an accounting application and a printer agent, as is now positively recited in Applicants' amended independent claims 1, 5, and 12. One of ordinary skill in the art appreciates, that binding is used for dynamic resolution. Applicants' original filed specification provided numerous example embodiments where dynamic resolution was taught, such as the discussions associated with RPC techniques on pages 5 and 6, and discussions on pages 9-13.

One benefit of binding accounting applications to a printer agent through dynamic resolution is that the printer agent does not need to be preconfigured with functions to provide predetermined accounting because through dynamic binding the printer agent can dynamically be extended with a variety of functions to perform a variety of accounting functions. This cannot be achieved with the teachings of Bennett and cannot be inferred from the teachings of Bennett, because the accounting operations are embedded in the printing system of Bennett, the UI is also part of the same printing system and is used to simply access the accounting operations. Bennett has no desire or need for binding accounting functions because the functions reside within the controller of the printing system a priori.

In fact, the only mention of binding in Bennett is strictly related to binding techniques of print media and it is not related in any manner to dynamically communicating and enabling an accounting application to communicate extended accounting functions to a printer agent.

Additionally, in Bennett print jobs are not directly received by a printer agent. The jobs are submitted to queues. As a result, some features of Bennett's controller cannot be processed. Bennett, col. 8, lines 23-24. Applicants pointed out in their original filed disclosure that conventional print systems receive print jobs from print clients directly into print queues. Moreover, Applicants' amended independent claims now positively recite that the print jobs are directly received by the printer agent from a print client. This means that Applicants' invention is capable of implementing accounting and other administrative operations without modifying an existing print system's operation, because the printer agent can dynamically implement accounting functions before a conventional print system is even aware of a print job in one of its queues. Moreover, this is something that cannot be achieved or inferred from the teachings of Bennett.

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111
Serial Number: 09/390,954
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Accordingly, Applicants assert that Bennett does not anticipate amended independent claims 1, 5, and 12. Therefore, Applicants respectfully request that the rejections with respect to Bennett be withdrawn.

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CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743

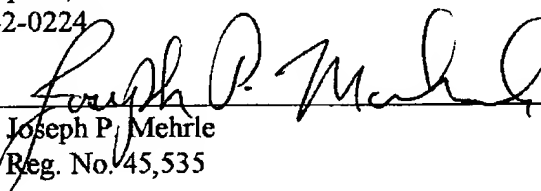Respectfully submitted,

F. DEVON TAYLOR ET AL.

By their Representatives,

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Date ___7-20-04___   By _____
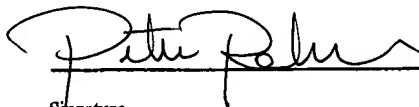   Joseph P. Mehrle
                        Reg. No. 45,535

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 20th day of July, 2004.

_Peter Rabuffon,_____   _____

Name   Signature